

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re:	)	Chapter 7
	)	
JOHN ANDREW BEHR	)	Hon. JACK B. SCHMETTERER
	)	
	)	Case No. 08 B 01327
	)	

**Trustee's Final Account  
and  
Application to Close Case and Discharge Trustee**

To: The Honorable JACK B. SCHMETTERER  
United States Bankruptcy Judge

Final distributions of all monies has been made in accordance with the Order Awarding Compensation and Expenses and the Trustee's Distribution Report, copies of which are attached hereto as Group Exhibit A.

All checks have been cashed. Evidence of all cancelled checks since the filing of the Trustee's Final Report is set forth on the Form 2 report attached hereto as Exhibit B. Form 2 also reflects a net total balance of zero for this estate.

The Trustee certifies that the estate has been fully administered and requests that he be discharged and that the case be closed pursuant to 11 U.S.C. §350.

Dated: 4/20/09

/s/ Allan J. DeMars  
Trustee

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re:

JOHN ANDREW BEHR

Debtor

)  
) Case No. 08 B 01327  
) Hon. JACK B. SCHMETTERER  
) Chapter 7  
)

ORDER AWARDING COMPENSATION AND EXPENSES

THIS MATTER COMING TO BE HEARD on the Trustee's final requests for allowance of fees and expenses of administration, notice having been given and the Court being duly advised:

IT IS HEREBY ORDERED that the Trustee's compensation and expenses are allowed as follows:

- |                           |             |
|---------------------------|-------------|
| 1. Trustee's compensation | \$ 3,438.78 |
| Allan J. DeMars           |             |
| 2. Trustee's expenses     | \$ 22.12    |
| Allan J. DeMars           |             |

TOTAL \$ 3,460.90

IT IS FURTHER ORDERED that the requests for final compensation and expenses are allowed as follows:

- |                               |             |
|-------------------------------|-------------|
| 1. Attorney for the Trustee   |             |
| a. Compensation               | \$ 4,180.00 |
| Allan J. DeMars               |             |
| b. Expenses                   | \$          |
| 2. Accountant for the Trustee |             |
| a. Compensation               | \$          |
| b. Expenses                   | \$          |

3. Other professional  
(list each professional separately)

Total \$ 4,180.00

IT IS FURTHER ORDERED that the Trustee is directed to pay the allowances listed above after the Trustee's Distribution Report is filed with the Clerk of the Bankruptcy Court.

DATED this 26th day of February, 2009

ENTERED

FEB 26 2008

Enter:

Bankruptcy Judge

JACK B. SCHMETTERER BANKRUPTCY JUDGE  
UNITED STATES BANKRUPTCY COURT

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re: )  
 ) Case No. 08 B 01327  
JOHN ANDREW BEHR ) Hon. JACK B. SCHMETTERER  
 ) Chapter 7  
Debtor )

DISTRIBUTION REPORT

I, Allan J. DeMars, trustee herein, certify that I have reviewed all claims filed with the Clerk of the Bankruptcy Court and have examined all orders of Court, and state that based on my review I am making the following distribution:

SUMMARY OF DISTRIBUTION:

Fees and Expenses Trustee: \$3,460.90	
Attorney:\$4,180.00	\$ 7,640.90
Chapter 7 Administrative Expenses:	\$
Chapter 11 Administrative Expenses:	\$
Priority Claims (507(a)(3) - (a)(7)):	\$
Secured Tax Liens:	\$
Priority Tax Claims:	\$
General Unsecured Claims:	\$ 19,250.02
Other:_____	\$
<u>TOTAL AMOUNT TO BE DISTRIBUTED:</u>	<u>\$ 26,890.92</u>

REPORT OF DISTRIBUTION

1. TYPE OF CLAIMS	TOTAL AMOUNT OF CLAIMS	FINAL DIVIDEND %
726(a) & (b) and 507(a)(1) (Chapter 7 costs of administration including court costs and U.S. Trustee quarterly fees pursuant to 28 U.S.C. 1930(6))	\$7,640.90	100%

CLAIM NUMBER	CREDITOR	AMOUNT OF ALLOWED CLAIM	AMOUNT OF DIVIDEND
Allan J. DeMars:	trustee's fees	\$ 3,438.78	\$ 3,438.78
	expenses	22.12	22.12
	attorney's fees	<u>4,180.00</u>	<u>4,180.00</u>
		\$ 7,640.90	\$ 7,640.90

REPORT OF DISTRIBUTION - CONT'D

PAGE 2 of 6

2. TYPE OF CLAIMS		TOTAL AMOUNT OF CLAIMS	FINAL DIVIDEND %
726(a) & (b) and 507(a)(1) (Debtor-in-possession (DIP) administrative expenses) (Domestic Support Obligations)		\$	
CLAIM NUMBER	CREDITOR	AMOUNT OF ALLOWED CLAIM	AMOUNT OF DIVIDEND

3. TYPE OF CLAIMS		TOTAL AMOUNT OF CLAIMS	FINAL DIVIDEND %
507(a)(3) -Gap claims arising in involuntary cases and allowed pursuant to 502(f)		\$	
CLAIM NUMBER	CREDITOR	AMOUNT OF ALLOWED CLAIM	AMOUNT OF DIVIDEND

4. TYPE OF CLAIMS		TOTAL AMOUNT OF CLAIMS	FINAL DIVIDEND %
507(a)(4) - Wages, salaries or commissions limited to \$10,950.00		\$	
CLAIM NUMBER	CREDITOR	AMOUNT OF ALLOWED CLAIM	AMOUNT OF DIVIDEND

REPORT OF DISTRIBUTION - CON'T

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5.	TYPE OF CLAIMS	TOTAL AMOUNT OF CLAIMS	FINAL DIVIDEND %
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507(a)(5) - Contributions to \$  
Employee Benefit Plans

CLAIM NUMBER	CREDITOR	AMOUNT OF ALLOWED CLAIM	AMOUNT OF DIVIDEND
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6.	TYPE OF CLAIMS	TOTAL AMOUNT OF CLAIMS	FINAL DIVIDEND %
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507(a)(6) - Farmers' \$  
and Fishermans' claims  
to the extent of \$5,400.

CLAIM NUMBER	CREDITOR	AMOUNT OF ALLOWED CLAIM	AMOUNT OF DIVIDEND
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7.	TYPE OF CLAIMS	TOTAL AMOUNT OF CLAIMS	FINAL DIVIDEND %
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507(a)(7) - Deposits \$ %  
by consumers to the extent  
of \$2,425.00

CLAIM NUMBER	CREDITOR	AMOUNT OF ALLOWED CLAIM	AMOUNT OF DIVIDEND
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REPORT OF DISTRIBUTION - CONT'D

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<u>9. TYPE OF CLAIMS</u>	<u>TOTAL AMOUNT OF CLAIMS</u>	<u>FINAL DIVIDEND %</u>
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724(b) - Tax claims	\$	
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<u>CLAIM NUMBER</u>	<u>CREDITOR</u>	<u>AMOUNT OF ALLOWED CLAIM</u>	<u>AMOUNT OF DIVIDEND</u>
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<u>10. TYPE OF CLAIMS</u>	<u>TOTAL AMOUNT OF CLAIMS</u>	<u>FINAL DIVIDEND %</u>
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507(a)(8) - Tax claims excluding fines and penalties	\$	%
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<u>CLAIM NUMBER</u>	<u>CREDITOR</u>	<u>AMOUNT OF ALLOWED CLAIM</u>	<u>AMOUNT OF DIVIDEND</u>
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<u>11. TYPE OF CLAIMS</u>	<u>TOTAL AMOUNT OF CLAIMS</u>	<u>FINAL DIVIDEND %</u>
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507(a)(9) - Capital Commitments to Federal Depository Institutions	\$	
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<u>CLAIM NUMBER</u>	<u>CREDITOR</u>	<u>AMOUNT OF ALLOWED CLAIM</u>	<u>AMOUNT OF DIVIDEND</u>
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REPORT OF DISTRIBUTION-CON'T

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12. TYPE OF CLAIMS		TOTAL AMOUNT OF CLAIMS	FINAL DIVIDEND %
726(a)(2) - General Claims (To be paid <u>pro-rata</u> after costs of administration and priority claims are paid in full)		\$295,409.78	6.51637%
CLAIM NUMBER	CREDITOR	AMOUNT OF ALLOWED CLAIM	AMOUNT OF DIVIDEND
1	Discover Bank	\$ 9,764.73	\$ 636.31
2	Discover Bank	10,543.84	687.08
3	Capital Recovery One, as assignee of Capital One Installment	29,146.90	1,899.32
4	Iowa Student Loan Liquidity Corp.	19,501.53	1,270.79
5	U.S. Bank	17,377.50	1,132.38
6	Optima Views Condominium	2,850.00	185.72
8	Roundup Funding LLC	1,107.29	72.16
9	American Express Bank FSB	10,380.71	676.45
10	FIA Card Services, as successor to Bank of America and MBNA	54,424.71	3,546.52
11	FIA Card Services, as successor to Bank of America and MBNA	9,877.10	643.63
12	JP Morgan Chase Bank	106,071.83	6,912.03
13	Advanta Bank Corp.	<u>24,363.64</u>	<u>1,587.63</u>
		\$295,409.78	\$19,250.02

<u>CLAIM NUMBER</u>	<u>CREDITOR</u>	<u>AMOUNT OF ALLOWED CLAIM</u>	<u>AMOUNT OF DIVIDEND</u>
<u>13. TYPE OF CLAIMS</u>	<u>TOTAL</u>	<u>AMOUNT OF CLAIMS</u>	<u>AMOUNT OF DIVIDEND %</u>
726(a) (3) - Late unsecured claims.	\$		

CLAIM NUMBER	CREDITOR	AMOUNT OF ALLOWED CLAIM	AMOUNT OF DIVIDEND
		TOTAL	FINAL
14. TYPE OF CLAIMS		AMOUNT OF CLAIMS	DIVIDEND %
726(a) (4) - Fines/ penalties		\$	%

<u>CLAIM NUMBER</u>	<u>CREDITOR</u>	<u>AMOUNT OF ALLOWED CLAIM</u>	<u>AMOUNT OF DIVIDEND</u>
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REPORT OF DISTRIBUTION-CON'T

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<u>15. TYPE OF CLAIMS</u>	<u>TOTAL AMOUNT OF CLAIMS</u>	<u>FINAL DIVIDEND %</u>
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726(a)(5) - Interest	\$	
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<u>16. TYPE OF CLAIMS</u>	<u>TOTAL AMOUNT OF CLAIMS</u>	<u>FINAL DIVIDEND %</u>
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726(a)(6) - Surplus to Debtor	\$	
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<u>CLAIM NUMBER</u>	<u>CREDITOR</u>	<u>AMOUNT ALLOWED CLAIM</u>	<u>AMOUNT OF DIVIDEND</u>
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\$

The following claims are not included in the distribution because they have been disallowed by court order or have been withdrawn by the claimant:

<u>TYPE OF CLAIM</u>	<u>CLAIM#</u>	<u>CREDITOR</u>	<u>AMOUNT OF CLAIM</u>	<u>DISALLOWED/ WITHDRAWN</u>
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Claim #7, filed by Katherine Bensinger, the ex-wife of the debtor, as a priority claim for support, in the amount of \$9,000.00, was withdrawn, pursuant to a settlement of the trustee's potential cause of action to avoid an alleged fraudulent/preferential transfer.

WHEREFORE, the Trustee certifies under penalty of perjury that the above statements are true and correct.

DATED: February 26, 2009

/s/ Allan J. DeMars  
Trustee



## CASH RECEIPTS AND DISBURSEMENT RECORDS

Case No.: 08-01327  
Case Name: JOHN ANDREW BEHR  
Taxpayer ID#: 90-6089513  
For Period Ending: 12/31/09

Trustee's Name: Allan J. DeMars  
Bank Name: Bank of America  
Initial CD #: CDI  
Blanket bond (per case limit): 5,000,000

Separate bond (if applicable): \_\_\_\_\_

Money Market #: 375 554 4135

1	2	3	4	5	6	7	8
Trans. Date	Check or Ref. #	Paid to/ Received from	Description of Transaction	Uniform Transaction Code	Deposit \$	Disbursement \$	Money Market Balance
4/30/08	Ref 10	from debtor	non-exempt tax refund	1124-000	4,382.00		4,382.00
5/30/08	Ref 12	Bank of America	interest on invested funds	1270-000	0.53		4,382.53
6/30/08	Ref 12	Bank of America	interest on invested funds	1270-000	0.55		4,383.08
7/31/08	Ref 12	Bank of America	interest on invested funds	1270-000	0.56		4,383.64
8/31/08	Ref 12	Bank of America	interest on invested funds	1270-000	0.55		4,384.19
9/30/08	Ref 12	Bank of America	interest on invested funds	1270-000	0.54		4,384.73
10/31/08	Ref 12	Bank of America	interest on invested funds	1270-000	0.56		4,385.29
11/6/08	Ref 11	Katherine Bensinger	settlement of potential cause of action	1241-000	22,500.00		26,885.29
11/30/08	Ref 12	Bank of America	interest on invested funds	1270-000	2.46		26,887.75
12/31/08	Ref 12	Bank of America	interest on invested funds	1270-000	2.46		26,890.21
BALANCE CARRIED FORWARD							26,890.21
1/31/09	Ref 12	Bank of America	interest on invested funds	1270-000	0.45		26,890.66
2/18/09	Ref 12	Bank of America	interest on invested funds	1270-000	0.26		26,890.92

1	2	3	4	5	6	7	8
Trans. Date	Check or Ref. #	Paid to/ Received from	Description of Transaction	Uniform Transaction Code	Deposit \$	Disbursement \$	Money Market Balance
2/26/09	Check 1001	Allan J. DeMars	trustee fees	2100-000		3,438.78	23,452.14
2/26/09	Check 1002	Allan J. DeMars	reimbursement of expenses	2200-000		22.12	23,430.02
2/26/09	Check 1003	Allan J. DeMars	attorney fees	3110-000		4,180.00	19,250.02
2/26/09	Check 1004	Discover Bank	726 (a) (2) ;6.51637%	7100-900		636.31	18,613.71
2/26/09	Check 1005	Discover Bank	726 (a) (2) ;6.51637%	7100-900		687.08	17,926.63
2/26/09	Check 1006	Capital Recovery One, as assignee of Capital One Installment	726 (a) (2) ;6.51637%	7100-900		1,899.32	16,027.31
2/26/09	Check 1007	Iowa Student Loan Liquidity Corp.	726 (a) (2) ;6.51637%	7100-000		1,270.79	14,756.52
2/26/09	Check 1008	U. S. Bank	726 (a) (2) ;6.51637%	7100-000		1,132.38	13,624.14
2/26/09	Check 1009	Optima Views Condominium	726 (a) (2) ;6.51637%	7100-000		185.72	13,438.42
2/26/09	Check 1010	Roundup Funding LLC	726 (a) (2) ;6.51637%	7100-000		72.16	13,366.26
2/26/09	Check 1011	American Express Bank FSB	726 (a) (2) ;6.51637%	7100-900		676.45	12,689.61
2/26/09	Check 1012	FIA Card Services, as successor to Bank of America and MBNA	726 (a) (2) ;6.51637%	7100-900		3,546.52	9,143.29
2/26/09	Check 1013	FIA Card Services, as successor to Bank of America and MBNA	726 (a) (2) ;6.51637%	7100-900		643.63	8,499.66
2/26/09	Check 1014	JP Morgan C.A.e Bank, N	726 (a) (2) ;6.51637%	7100-000		6,912.03	1,587.63

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1	2	3	4	5	6	7	8
Trans. Date	Check or Ref. #	Paid to/ Received from	Description of Transaction	Uniform Transaction Code	Deposit \$	Disbursement \$	Money Market Balance
2/26/09	Check 1015	Advanta Bank Corp.	726(a)(2);6.51637%	7100-900		1,587.63	0.00

COLUMN TOTALS

Money Market # 375 554 4135

26,890.9226,890.920.00

Net

Excludes account  
transfersExcludes payments  
to debtorTotal Funds  
on Hand